

REMARKS

The Examiner is thanked for carefully reviewing the present application. The present amendment is in response to the Office Action mailed on January 18 2006 regarding claims 1-21. The applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein.

Claims 1 and 11 are amended by adding allowable claims 10 and 20 therein, respectively. Claims 3 and 13 are deleted. Claims 2, and 12 are amended to particularly point out that the inner wall of the passage radially extends beyond the outer frame of the housing in a symmetrical manner. The support of the above amendments can be found in FIG. 2A and 2B. Thus, claims 1-2, 2-4 and 14-21 are now pending in the application. The amended claims neither contain neither new matter nor raise new issues.

The above amendments and the following remarks are believed to be fully responsive to the Office Action and render all claims at issue patentably distinguishable over cited references. Favorable reconsideration is requested accordingly.

Rejection Under 35 U.S.C. §102(b)

Claims 1-3, 5-8, 11-13, 15-16 and 18 are rejected under 35 U.S.C. §102(b) as being anticipated by Schmidt et al. (US patent 6,254,343) (hereinafter referred to as "Schmidt").

As explicitly recited in the amended claims 2 and 12, the inner wall 23a of the

passage 23 at the air inlet radially extends beyond the outer frame 21 of the housing in a symmetrical manner (please refer to FIGs. 2A and 2B).

In contrast, “Schmidt”'s teaches that shown in FIG. 1 is a housing 18 having a mounting plate 32 and an outward flared transition 30; however, the outward flared transition 30 merely extends to the edge of the mounting plate 32, wherein there is no any portion of the inner wall of the passage 24 extending out the extent of the housing.

Accordingly, since the structure of the housing taught by “Schmidt” is different from the housing disclosed in the claimed invention, claims 2, and 12 of the invention cannot be anticipated by “Schmidt”. Claims 4-10 and 14-21, by virtue of their dependence on patentable claims 2 and 12 respectively are also patentable over “Schmidt”. Therefore, the applicant respectfully request that the section 102(b) rejection be withdrawn.

Rejection Under 35 U.S.C. §102(b)

Claims 1-3, 5-7, 9, 11-13, 16-19 and 21 are rejected under 35 U.S.C. §102(b) as being anticipated by Harmsen et al. (US patent 5,695,318) (hereinafter referred to as “Harmsen”).

As explicitly recited in the amended claims 2 and 12, the inner wall of the housing radially extends beyond the outer frame of the housing at the air inlet of the housing in a symmetrical manner.

In contrast, “Harmsen”'s teaches that shown in Fig 1-9 is a housing 2 for a diagonal fan having an inlet end, an outlet end and a truncated shaped air channel 15, wherein the radius of the truncated shaped air channel 15 is increased from the inlet end to the outlet end of the housing (see column 5 lines 55-55). Apparently, the radius

of the inlet end should be the shortest comparing with other portion of the housing, so that the inner wall of the truncated shaped air channel 15 of the inlet cannot extend beyond the outer frame of the housing.

Accordingly, since the structure of the housing taught by “Harmsen” is different from the housing disclosed in the invention, claims 2, and 12 of the invention cannot be anticipated by “Harmsen”. Claims 4-10 and 14-21, by virtue of their dependence on patentable claims 2 and 12 respectively are also patentable over “Harmsen”. Therefore, the applicant respectfully request that the section 102(b) rejection be withdrawn.

Rejection Under 35 U.S.C. §102(b)

Claims 1-2, 4-5, 9, 11-14 and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by Umeda et al. (US patent 6,386,843) (hereinafter referred to as “Umeda”).

As explicitly recited in the amended claims 2 and 12, the inner wall 23a of the passage 23 radially extends beyond the outer frame 21 of the housing at the air inlet of the housing in a symmetrical manner.

In contract, “Umeda”’s teaches that shown in Figs 3-6 is a housing 15 having an air passage 15a for guiding air from an inlet 15b to an outlet 15f, wherein the frame of the housing 15 at the opening of the air inlet 15b is provided with a tapered portion 15d on the side of the first flange 15g1 to enlarge the radius of the air passage 15a (see column 4 lines 7-10), and to define a expanded section 15e projected radially outwardly over an outer edge of the first flange 15g1(see column 4 lines 17-18).

Since the expanded section 15e merely projects radially outwardly over the outer edge of the first flange 15g1, the inner wall of the frame of the housing 15 does not extend radially extends beyond the outer frame 21 of the housing in a symmetrical manner. Therefore, the structure of the housing of the present invention should differ from that of “Umeda”.

Accordingly, since the structure of the housing taught by “Umeda” is different from the housing disclosed in the invention, claims 2, and 12 of the invention cannot be anticipated by “Umeda”. As to claims 2-10 and 14-21, by virtue of their dependence on patentable claims 2 and 12 respectively are also patentable over “Umeda”. Therefore, the applicant respectfully request that the section 102(b) rejection be withdrawn.

Rejection Under 35 U.S.C. §102(e)

Claims 1-2, 7- 9 and 11 are rejected under 35 U.S.C. §102(e) as being anticipated by Wei et al. (US patent 6,538,888) (hereinafter referred to as “Wei”).

As explicitly recited in the amended claims 2 and 12 the inner wall of the housing radially extends beyond the outer frame of the housing at the air inlet of the housing in a symmetrical manner.

In contrast, the housing 1812 taught by “Wei” includes an air passage guiding air from an inlet opening to an outlet opening, wherein an inner wall of the passage at the air outlet radially outwardly and with respect to a central axis of the passage in a symmetrical manner (In accordance to the remarks of the examiner). However, the radius of the inner wall of the housing 1812 at the air inlet is shorter than that at the air

outlet of the housing 1812 so that the inner wall of the housing 1812 at the inlet cannot extend beyond the outer frame of the housing.

Accordingly, since the structure of the housing taught by "Wei" is different from the housing disclosed in the present invention, claims 2, and 12 of the present invention cannot be anticipated by "Wei". Claims 4-10 and 14-21, by virtue of their dependence on patentable claims 2 and 12 respectively, are also patentable over "Wei". Therefore, the applicant respectfully request that the section 102(e) rejection be withdrawn.

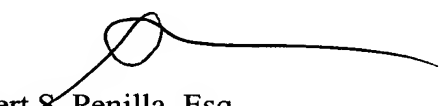
CONCLUSIONS

A Notice of Allowance is therefore respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. JLINP163/TLC). A duplicate copy of the transmittal is enclosed for this purpose.

LLP

Respectfully submitted,
MARTINE PENILLA & GENCARELLA,



Albert S. Penilla, Esq.
Reg. No. 39,487

710 Lakeway Drive, Suite 200
Sunnyvale, CA 94085
Telephone: (408) 774-6903
Facsimile: (408) 749-6901